

House Committee on Judiciary
Rep. Gilbert S.C. Keith-Agaran. Chair
Rep. Karl Rhoads, Vice Chair

Testimony on HB 2241

Thursday, February 09, 2012, 2:00 p.m.
State Capitol, Conference Room 325

Welina Kakou,

We are Aupuni O Hawaii with voices in the Hawaiian Islands for we are a stalwart advocate for the betterment of native Hawaiians. We believe in helping one another and giving to the needy, however, when a measure of this nature tends to circumvent an illegal commerce to be placed reticently in the bowels of this *domsn procerum*, well we can only conclude to the fact of recent events in the legislative committees in passing measures to put Gaming on Hawaiian Home Lands and we foresee the state getting into the managing business of Gaming in view of the fact that the amendment within this measure to HRS §712-1226 implement a blockade of certain Gambling Devices but establishes governing gaming instruments in this state therefore we believe this positions the language in this measure to expand accordingly in future measures with additional commerce for the state on Hawaiian Home Lands and projected to be on public lands.

We object to this measure in principle to once again to the future encumbrance on Hawaiian Home Lands by the creation of wealth for the benefit of the state at the price of the (n) ative Hawaiians. First of all, the ideology of gaming in commerce for the betterment of the (n) ative Hawaiians is dangerous, irresponsible, and malicious to think this iniquitous venture would be the savior for the housing woes of the (n) ative Hawaiians is unconscionable. This dangerous venture will only bring unsavory activities on our lands, furthermore, the lack of foresight by this state to understand prudent economics versus a hair brain principle under the pretense of a lotto marketing gimmick is not only negligent but lack confidence in foresight for the managing of a trust.

The only support to this measure will be a complete suspension to this amendment and the future exclusion of a stature geared for Misdemeanor Crimes and Criminal Proceedings. Hawaii Penal Code Title 37, Offenses Against Public Health and Morals, well here's a contradiction of an oxymoron task placating in the realm of judicial slap on the wrist for an immoral instrument deemed doomed for the (n) ative Hawaiians and the (N) ative Hawaiians at large to permit such a device. Furthermore IGRA provides a framework on gaming on "Indian Lands" for it to be executed, but then again we are not "Indians!" Once more we oppose supporting such a measure for the harmful and irreparable damages that continue to cause social ills in other states to only be seen as an offense of a personal defect and not the instruments of gaming before this legislation and governor.

Me ka Ha'aha'a
Samson and Bill Brown
Aupuni O Hawaii, Board Members

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

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In reply, please refer to:
File:

Committee on Judiciary

**H.B. 2559, H.D.1, RELATING TO MORTALITY REVIEW OF DEATHS OF
PERSONS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES**

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

February 9, 2012

- 1 **Department's Position:** The Department of Health strongly supports H.B. 2559, H.D. 1
- 2 **Fiscal Implications:** None.
- 3 **Purpose and Justification:** H.B. 2559, H.D. 1 will amend Chapter 321, Hawaii Revised Statutes, and
- 4 provide the Department of Health, Developmental Disabilities Division statutory authority to conduct
- 5 multidisciplinary and multiagency review of the deaths of persons with developmental or intellectual
- 6 disabilities, and allow the Director of Health to obtain clinical and other information surrounding the
- 7 deaths of individuals served by the Developmental Disabilities Division. H.B. 2559, H.D. 1 makes
- 8 minor technical changes to the language of the Bill without changing the intent of the Bill. The ability
- 9 of the Department of Health, Developmental Disabilities Division to conduct and obtain information
- 10 necessary to conduct a comprehensive death review will help assure the Centers for Medicare and
- 11 Medicaid Services and the public that any wrongful deaths of individuals are investigated and
- 12 remediation implemented to address service issues that may have contributed to any of these deaths.
- 13 The Government Accountability Office has recommended to the Centers for Medicare and Medicaid
- 14 Services that they encourage states to conduct mortality reviews of persons with developmental or

- 1 intellectual disabilities to help states identify and address quality of care concerns among these
- 2 individuals who are receiving Home and Community Based Services Medicaid Waiver program.
- 3 Thank you for this opportunity to testify.